

*In 2013, the British Virgin Islands made no advancement in efforts to prevent the worst forms of child labor. While there is no evidence of a problem, the Government has not developed a list of hazardous occupations prohibited to children.*

## I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR




Research found no evidence that child labor exists in the British Virgin Islands.(1)

## II. LEGAL FRAMEWORK ON THE WORST FORMS OF CHILD LABOR

British Overseas Territories (OTs) are territories under the jurisdiction and sovereignty of the United Kingdom (UK), but they do not form part of the UK. They are self-governing, except in the areas of foreign affairs and defense. Domestic UK Law does not generally apply to OTs, unless explicitly extended.(1)

The following convention has been extended to the British Virgin Islands (Table 1).(1)

**Table 1. Ratification of International Conventions on Child Labor**

Convention		Ratification
	ILO C. 138, Minimum Age	
	ILO C. 182, Worst Forms of Child Labor	
	UN CRC	✓
	UN CRC Optional Protocol on Armed Conflict	
	UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	
	Palermo Protocol on Trafficking in Persons	

The Government has established relevant laws and regulations concerning child labor (Table 2).

**Table 2. Laws and Regulations Related to Child Labor**

Standard	Yes/No	Age	Related Legislation
Minimum Age for Work	Yes	16	Labor Code of 2010 (2)
Minimum Age for Hazardous Work	Yes	18	Labor Code of 2010 (2)
List of Hazardous Occupations Prohibited for Children	No		
Prohibition of Forced Labor	Yes		Constitutional Order 2007; Labor Code of 2010 (2, 3)
Prohibition of Child Trafficking	Yes		Criminal Code, Labor Code of 2010 (2, 4)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Criminal Code; Labor Code of 2010 (2, 4)
Prohibition of Using Children in Illicit Activities	Yes		Criminal Code; Labor Code of 2010 (2, 4)
Minimum Age for Compulsory Military Recruitment	N/A*		
Minimum Age for Voluntary Military Service	Combat: Yes	18	UK Armed Forces Act 2006 (1, 5)
	Non-Combat: Yes	16 1/2	
Compulsory Education Age	Yes	16	Education Act 2004 (6)
Free Public Education	Yes		Education Act 2004 (6)

\* No conscription or no standing military.

The Government has not developed a list of hazardous occupations prohibited to children.(2)

# British Virgin Islands

## NO ADVANCEMENT

## NON-INDEPENDENT COUNTRIES AND TERRITORIES

The UK Government has introduced systems to track ages and locations of individual soldiers, with the aim of preventing under 18s from being deployed into hostilities. Deployment of members of the armed forces who have not yet reached 18 years is permitted when there is a genuine need and the situation is urgent.(7-10)

### III. ENFORCEMENT OF LAWS ON THE WORST FORMS OF CHILD LABOR

Even though there is no evidence of a problem, the Government has established an institutional mechanism for the enforcement of labor laws for the British Virgin Islands (Table 3).

**Table 3. Agencies Responsible for Child Labor Law Enforcement**

Organization/Agency	Role
Ministry of Labor	Enforce labor laws and collect data and statistics on violations of the Labor Code.(2)

### IV. COORDINATION OF GOVERNMENT EFFORTS ON THE WORST FORMS OF CHILD LABOR

As there is no evidence of a problem, there appears to be no need for coordinating mechanisms to address child labor, including its worst forms, in the British Virgin Islands.

### V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR

As there is no evidence of a problem, there appears to be no need for policies to address child labor, including its worst forms, in the British Virgin Islands.

### VI. SOCIAL PROGRAMS TO ADDRESS THE WORST FORMS OF CHILD LABOR

As there is no evidence of a problem, there appears to be no need for social programs to address child labor, including its worst forms, in the British Virgin Islands.

### VII. SUGGESTED GOVERNMENT ACTIONS TO PREVENT THE WORST FORMS OF CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the continued prevention of child labor, including its worst forms, in the British Virgin Islands (Table 4).

**Table 4. Suggested Government Actions to Prevent Child Labor, Including its Worst Forms**

Area	Suggested Action	Year(s) Suggested
Laws	Develop a list of hazardous occupations prohibited for children under age 18.	2012 – 2013

#### REFERENCES

1. U.S. Embassy London official. Cable to USDOL official. January 21, 2014.
2. Government of the British Virgin Islands. *Labour Code*, 4, enacted 2010. [http://www.bvigazette.org/extrafile/G00307\\_Labour%20Code%20Act.%202010.pdf](http://www.bvigazette.org/extrafile/G00307_Labour%20Code%20Act.%202010.pdf).
3. Government of the British Virgin Islands. *The Virgin Islands Constitution Order 2007*, 1678, enacted June 15, 2007. <http://www.bvi.org.uk/files/constitution2007.pdf>.
4. Government of the British Virgin Islands. *Criminal Code (Amendment) Act, 2007*, 3, enacted February 8, 2007. [http://www.bvigazette.org/extrafile/G00029\\_Criminal%20Code%20\(Amendment\)%20Act.%202007.pdf](http://www.bvigazette.org/extrafile/G00029_Criminal%20Code%20(Amendment)%20Act.%202007.pdf).
5. Government of the United Kingdom of Great Britain and Northern Ireland. *Armed Forces Act 2006*, enacted 2006. <http://www.legislation.gov.uk/ukpga/2006/52/contents>.
6. Government of the British Virgin Islands. *Education Act*, 10, enacted 2004.
7. Government of the United Kingdom of Great Britain and Northern Ireland. *United Kingdom Armed Forces Act*, Chapter 52, enacted November 2006. [http://www.legislation.gov.uk/ukpga/2006/52/pdfs/ukpga\\_20060052\\_en.pdf](http://www.legislation.gov.uk/ukpga/2006/52/pdfs/ukpga_20060052_en.pdf).
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9. Child Soldiers International. "Appendix II: Data Summary on Recruitment Ages of National Armies," in *Louder than Words: An Agenda for Action to End State Use of Child Soldiers*. London; 2012; [http://www.child-soldiers.org/global\\_report\\_reader.php?id=562](http://www.child-soldiers.org/global_report_reader.php?id=562).
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